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The Battery Conservancy and Warrie Price

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BARBARA BROUGHEL, : No. 07 Civ. 7755 (GBD)
Plaintiff, :
v. : ECF Case
THE BATTERY CONSERVANCY, :
WARRIE PRICE, CLAIRE WEISZ, AND :
MARK YOES, "DBA" WEISZ + YOES, :
Defendants. : NOTICE OF MOTION TO
: EXCLUDE PLAINTIFF'S REPLY
: MEMORANDUM OF LAW IN
: FURTHER SUPPORT OF
: PLAINTIFF'S MOTION FOR A
: PRELIMINARY INJUNCTION
:
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**NOTICE OF MOTION TO EXCLUDE PLAINTIFF'S REPLY
MEMORANDUM OF LAW IN FURTHER SUPPORT OF
PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**

PLEASE TAKE NOTICE THAT, upon the accompanying Memorandum of Law in Support of Defendants' Motion to Exclude Plaintiff's Reply Memorandum of Law in Further Support of Plaintiff's Motion for a Preliminary Injunction and the Declaration of Rita M. Carrier in Support of Defendants' Motion to Exclude Plaintiff's Reply Memorandum of Law in Further Support of Plaintiff's Motion for a Preliminary Injunction, executed on May 12, 2008, Defendants hereby request that this Court:

ORDER that plaintiff Barbara Broughel (“Plaintiff”) show cause before the Honorable George B. Daniels, United States District Judge of the United States District Court for the Southern District of New York, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, on or before May 14, 2008, as to why an Order should not be issued excluding the filed portion of Plaintiff’s Reply Memorandum of Law in Further Support of Plaintiff’s Motion for a Preliminary Injunction, and prohibiting the filing of the remainder of such Memorandum and any declarations and exhibits.

WHEREFORE, Defendants request that this Court issue said Order to Show Cause, and granting such other and further relief as the Court deems just and proper.

Dated: May 12, 2008

Respectfully submitted,

/s/

Margaret K. Pfeiffer (MP4552)
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CERTIFICATE OF SERVICE

A copy of the foregoing Notice of Motion to Exclude Plaintiff's Reply Memorandum of Law in Further Support of Plaintiff's Motion for a Preliminary Injunction and Memorandum of Law in support of said Motion, has been served on all counsel this 12th day of May, 2008, via this Court's Electronic Case Filing system.

/s/
Rita M. Carrier